

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CURTIS BERNARD SEALS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-21-535-D
	)	
STATE OF OKLAHOMA,	)	
	)	
Respondent.	)	

**ORDER**

Plaintiff, a state prisoner appearing pro se, initiated this action by filing a Petition for Writ of Habeas Corpus challenging his conviction under 28 U.S.C. § 2254 [Doc. No. 1]. However, Petitioner failed to pay the necessary filing fee or submit his Petition on the proper forms. Petitioner was ordered to correct these deficiencies [Doc. No. 4] but failed to do so. As a result, his Petition was dismissed without prejudice [Doc. No. 7].<sup>1</sup>

Petitioner has now filed a document in this closed case titled “Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. Out of time Appeal motion. Equitable Tolling” [Doc. No. 9]. Although this document is lacking in context and legal argument, it appears that Petitioner is asserting that the state court lacked jurisdiction to prosecute him. Petitioner has, however, still failed to pay the filing fee or initiate a habeas case using the proper forms. “The filing fee requirement...is established by Congress as a prerequisite to a civil action and must be complied with, absent the granting of IFP status.” *Jarrett v. US*

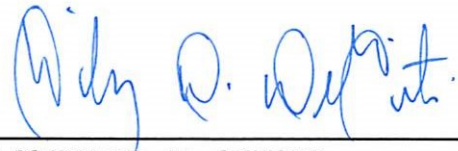
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<sup>1</sup> A subsequent habeas case initiated by Petitioner was also dismissed without prejudice for lack of jurisdiction as a successive habeas petition without Tenth Circuit authorization. *See Seals v. Oklahoma*, No. CIV-21-536-D (W.D. Okla Aug. 20, 2021).

*Sprint Commc'ns Co.*, 22 F.3d 256, 261 (10th Cir. 1994). Similarly, the Local Rules provide that petitions for writ of habeas corpus will be stricken if the proper forms are not used. LCvR9.2(a). Petitioner's post-judgment document makes no argument related to the dismissal of this action for failure to pay the filing fee or use the proper forms.

Accordingly, to the extent Petitioner's post-judgment document [Doc. No. 9] seeks any relief, it is **DENIED**.

**IT IS SO ORDERED** this 25<sup>th</sup> day of October, 2021.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge